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003

Attorney Docket No.: 22940/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicants: Howard N. Straub

Examiner: Vy Q. Bui

JUN 28 2005

Serial No.: 09/650,584

Art Unit: 3731

Filed: August 30, 2000

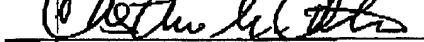
Confirmation No. 9208

For: OPHTHALMIC DEVICE AND METHOD OF MANUFACTURE AND USE

CERTIFICATE OF FACSIMILE

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to I-703-872-9306, MAIL STOP RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By:


Christine M. Ciuro

June 28, 2005

Date

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL REMARKS

Dear Sir :

Thank you for the return of the fourteen pages of previously-filed PTO-1449 forms. We note that two references on those forms are marked as having not been considered. These references are *Omi et al.* "Modified Schocket Implant for Refractory Glaucoma," *Ophthalmology*, 98:211-214 (1991) and *Elander*, "Scleral Expansion Surgery does not Restore Accommodation in Human Presbyopia.", *J. Refract Surg.*, 15(5):604 (1999). These references were previously filed and should have been considered. As a courtesy copy has already been provided after the originally filed copy, Applicant believes that the references are available to the Examiner. However, if another copy is needed, the Examiner is requested to contact Applicant's attorney at the phone number below.

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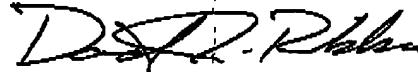
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Group Art Unit No.: 3731

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 500369.

Respectfully submitted,

BROWN RUDNICK BERLACK ISRAELS LLP



Date: June 28, 2005

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